

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KANDUS DAKUS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

KONINKLIJKE LUCHTVAART
MAATSCHAPPIJ, N.V.,

Defendant.

Civil Action No. 1:22-cv-07962-RA

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and the declaration and exhibits annexed thereto, Defendant Koninklijke Luchtvaart Maatschappij, N.V. (“KLM”), by its attorneys, DLA Piper LLP (US), will move before the Honorable Ronnie Abrams, United States District Judge of the United States District Court, Southern District of New York, at the Thurgood Marshall Building and United States Courthouse, 40 Foley Square, New York, New York 10005, on a date and time to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) to dismiss with prejudice the Plaintiff’s First Amended Complaint and for such other and further relief as this Court deems just and proper. The grounds upon which KLM seeks relief are set forth in detail in the accompanying Memorandum of Law.

Dated: January 23, 2023

Respectfully submitted,

DLA Piper LLP (US)

/s/ Keara M. Gordon

Keara M. Gordon

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Attorneys for Defendant
Koninklijke Luchtvaart Maatschappij, N.V.

CERTIFICATE OF SERVICE

The undersigned certifies that on January 23, 2023, the foregoing Notice of Defendant KLM's Motion to Dismiss the Complaint was electronically filed with the Clerk of the Court using the CM/ECF system and thereby served on the following counsel:

Spencer Sheehan
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Counsel for Plaintiff

Dated: January 23, 2023

/s/ Keara M. Gordon

Keara M. Gordon